

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:18-CR-00452-FL-1

| | | |
|--------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | RESPONSE TO MOTION TO COMPEL |
| |) | |
| LEONID ISAAKOVICH TEYF |) | |

Pursuant to the Court's Order of March 4, 2020, Defendant Leonid Isaakovich Teyf, through undersigned counsel, responds to the government's motion to compel as follows:

Defendant respectfully disagrees with the government's characterization of the matter. In addition, Defendant noticed these witnesses as rebuttal witnesses. Defendant anticipates filing a motion as to the government's proposed experts, including Drew Holiner (the only one for which a report was provided) on Monday, and it is unclear what will remain after that testimony to rebut or what Holiner's testimony if any will be at trial. However, to resolve the issue, Defendant will serve a further written summary with additional details pursuant to Rule 16 as to expert Robert Wilson no later than 5 p.m. today, March 5, 2020. Defendant reserves the right to offer rebuttal testimony to the full extent permitted by Rule 16 and any other applicable legal authority.

Respectfully submitted, this the 19th day of February, 2020.

/s/ F. Hill Allen
F. Hill Allen
THARRINGTON SMITH, L.L.P.
P.O. Box 1151
Raleigh, NC 27602
Phone: 919) 821-4711
Fax: 919) 829-1583

hallen@tharringtonsmith.com
N.C. State Bar No. 18884
Counsel for Defendant

Robert S. Wolf
MOSES & SINGER LLP
The Chrysler Building
405 Lexington Ave., 12th Floor
New York, NY 10174-1299
Phone: (212) 554-7825
Fax: (212) 554-7700
rwolf@mosessinger.com
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of March, 2020, I electronically filed the foregoing **RESPONSE TO MOTION TO COMPEL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Barbara D. Kocher
U.S. Attorney's Office
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
barb.kocher@usdoj.gov

Jason M. Kellhofer
U.S. Attorney's Office
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
jason.kellhofer@usdoj.gov

/s/ F. Hill Allen

F. Hill Allen
THARRINGTON SMITH, L.L.P.
P.O. Box 1151
Raleigh, NC 27602
Phone: (919) 821-4711
Fax: (919) 829-1583
hallen@tharringtonsmith.com
N.C. State Bar No. 18884
Counsel for Defendant